

Please type a plus sign (+) inside this box → ☐

PTO/SB/05 (12/97)

Approved for use through 9/30/00. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

UTILITY PATENT APPLICATION TRANSMITTAL <i>(Only for new nonprovisional applications under 37 CFR 1.53(b))</i>	Attorney Docket No.	SVL920030093US1	Total Pages	60
	First Named Inventor or Application Identifier			
	Yin Chen			
	Express Mail Label No.	ER540257564US		

22390 U.S. PTO
10/729362



APPLICATION ELEMENTS <i>See MPEP chapter 600 concerning utility patent application contents.</i>	ADDRESS TO: Commissioner for Patents Mail Stop Patent Application P.O. Box 1450 Alexandria, VA 22313-1450				
<p>1. <input checked="" type="checkbox"/> Fee Transmittal Form (Submit an original, and a duplicate for fee processing)</p> <p>2. <input checked="" type="checkbox"/> Specification (Total Pages) <u>43</u> (Preferred arrangement set forth below)</p> <ul style="list-style-type: none">- Descriptive title of the invention- Cross References to Related Application- Statement Regarding Fed sponsored R & D- Reference to Microfiche Appendix- Background of the invention- Brief Summary of the invention- Brief Description of the Drawings (if filed)- Detailed Description- Claim(s)- Abstract of the Disclosure <p>3. <input checked="" type="checkbox"/> Drawing(s) (35 USC 113) (Total Pages) <u>12</u></p> <p>4. Oath or Declaration (Total Pages) <u>5</u></p> <p>a. <input checked="" type="checkbox"/> Newly executed (original or copy)</p> <p>b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) (for continuation /divisional with Box 17 completed) (Note Box 5 below)</p> <p>i. <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</p> <p>5. <input type="checkbox"/> Incorporation by Reference (useable if Box 4b is checked) The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.</p>	<p>6. <input type="checkbox"/> Microfiche Computer Program (Appendix)</p> <p>7. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)</p> <p>a. <input type="checkbox"/> Computer Readable Copy</p> <p>b. <input type="checkbox"/> Paper Copy (identical to computer copy)</p> <p>c. <input type="checkbox"/> Statement verifying identity of above copies</p> <p>ACCOMPANYING APPLICATION PARTS</p> <p>8. <input checked="" type="checkbox"/> Assignment Papers (cover sheet & document(s))</p> <p>9. <input type="checkbox"/> 37 CFR 3.73(b) Statement (when there is an assignee) <input checked="" type="checkbox"/> Power of Attorney</p> <p>10. <input type="checkbox"/> English Translation Document (if applicable)</p> <p>11. <input checked="" type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input checked="" type="checkbox"/> Copies of IDS Citations</p> <p>12. <input type="checkbox"/> Preliminary Amendment</p> <p>13. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (Should be specifically itemized)</p> <p>14. <input type="checkbox"/> Small Entity <input type="checkbox"/> Statement filed in prior application, Status still proper and desired</p> <p>15. <input type="checkbox"/> Certified Copy of Priority Document(s) if foreign priority is claimed)</p> <p>16. <input checked="" type="checkbox"/> Other: Express Mail Certificate</p>				
<p>17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:</p> <p><input type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP) of prior application No.:</p>					
<p>18. CORRESPONDENCE ADDRESS</p> <p><input checked="" type="checkbox"/> Customer Number or Bar Code Label <u>36491</u></p> <p><input type="checkbox"/> Or Correspondence address below</p>					
NAME	David J. McKenzie				
ADDRESS	8 East Broadway Suite 600				
CITY	Salt Lake City	STATE	Utah	ZIP	84111
COUNTRY	United States	TELEPHONE	(801) 994-4646	FAX	(801) 531-1929
Assignee Name: INTERNATIONAL BUSINESS MACHINES CORPORATION					
Assignee Residence: Armonk, New York					

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, D.C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, D.C. 20231.

Please type a plus sign (+) inside this box → +

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<h2 style="margin: 0;">FEE TRANSMITTAL</h2> <p style="font-size: small; margin-top: 10px;">Note: Effective October 1, 2001. Patent fees are subject to annual revision.</p>		Complete If Known	
		Application Number	Not yet Assigned
		Filing Date	December 4, 2003
		First Named Inventor	Yin Chen
		Group Art Unit	
		Examiner Name	
TOTAL AMOUNT OF PAYMENT	\$ 1420	Attorney Docket Number	SVL920030093US1

METHOD OF PAYMENT (check one)	FEE CALCULATION (continued)																																																																																																																																																																						
<p>1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:</p> <p>Deposit Account Number: <u>09-0460</u></p> <p>Deposit Account Name: <u>IBM CORPORATION</u></p> <p><input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 <input type="checkbox"/> Charge the Issue Fee In 37 CFR at the Mailing of the Notice of Allowance</p> <p>2. <input type="checkbox"/> Payment Enclosed:</p> <p style="padding-left: 20px;"><input type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Other</p>	<h3 style="margin: 0;">3. ADDITIONAL FEES</h3> <table style="width: 100%; font-size: small;"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr><td>1051</td><td>130</td><td>2051</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>1052</td><td>50</td><td>2052</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>1053</td><td>130</td><td>1053</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>1812</td><td>2520</td><td>1812</td><td>2520</td><td>For filing a request for reexamination</td><td></td></tr> <tr><td>1804</td><td>920*</td><td>1804</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>1805</td><td>1840*</td><td>1805</td><td>1840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>1251</td><td>110</td><td>2251</td><td>55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>1252</td><td>420</td><td>2252</td><td>210</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>1253</td><td>950</td><td>2253</td><td>475</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>1254</td><td>1480</td><td>2254</td><td>740</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>1255</td><td>2010</td><td>2255</td><td>1005</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>1401</td><td>330</td><td>2401</td><td>165</td><td>Notice of Appeal</td><td></td></tr> <tr><td>1402</td><td>330</td><td>2402</td><td>165</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>1403</td><td>290</td><td>2403</td><td>145</td><td>Request for oral hearing</td><td></td></tr> <tr><td>1451</td><td>1510</td><td>1451</td><td>1510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>1452</td><td>110</td><td>2452</td><td>55</td><td>Petition to revive - intentional</td><td></td></tr> <tr><td>1453</td><td>1330</td><td>2453</td><td>665</td><td>Petition to revive - unintentional</td><td></td></tr> <tr><td>1501</td><td>1330</td><td>2501</td><td>665</td><td>Utility issue fee</td><td></td></tr> <tr><td>1502</td><td>480</td><td>2502</td><td>240</td><td>Design issue fee</td><td></td></tr> <tr><td>1503</td><td>640</td><td>2503</td><td>320</td><td>Plant issue fee</td><td></td></tr> <tr><td>1460</td><td>130</td><td>1460</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>1807</td><td>50</td><td>1807</td><td>50</td><td>Petitions related to provisional applications</td><td></td></tr> <tr><td>1806</td><td>180</td><td>1806</td><td>180</td><td>Submission of Information Disclosure Stmt</td><td></td></tr> <tr><td>8021</td><td>40</td><td>8021</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td>40</td></tr> <tr><td>1809</td><td>770</td><td>2809</td><td>385</td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td><td></td></tr> <tr><td>1814</td><td>110</td><td>2814</td><td>55</td><td>Statutory disclaimer (37 CFR 1.120(d))</td><td></td></tr> </tbody> </table> <p>Other fee (specify) _____</p>	Large Entity		Small Entity		Fee Description	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	1051	130	2051	65	Surcharge - late filing fee or oath		1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet		1053	130	1053	130	Non-English specification		1812	2520	1812	2520	For filing a request for reexamination		1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action		1805	1840*	1805	1840*	Requesting publication of SIR after Examiner action		1251	110	2251	55	Extension for reply within first month		1252	420	2252	210	Extension for reply within second month		1253	950	2253	475	Extension for reply within third month		1254	1480	2254	740	Extension for reply within fourth month		1255	2010	2255	1005	Extension for reply within fifth month		1401	330	2401	165	Notice of Appeal		1402	330	2402	165	Filing a brief in support of an appeal		1403	290	2403	145	Request for oral hearing		1451	1510	1451	1510	Petition to institute a public use proceeding		1452	110	2452	55	Petition to revive - intentional		1453	1330	2453	665	Petition to revive - unintentional		1501	1330	2501	665	Utility issue fee		1502	480	2502	240	Design issue fee		1503	640	2503	320	Plant issue fee		1460	130	1460	130	Petitions to the Commissioner		1807	50	1807	50	Petitions related to provisional applications		1806	180	1806	180	Submission of Information Disclosure Stmt		8021	40	8021	40	Recording each patent assignment per property (times number of properties)	40	1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))		1814	110	2814	55	Statutory disclaimer (37 CFR 1.120(d))	
Large Entity		Small Entity		Fee Description	Fee Paid																																																																																																																																																																		
Fee Code	Fee (\$)	Fee Code	Fee (\$)																																																																																																																																																																				
1051	130	2051	65	Surcharge - late filing fee or oath																																																																																																																																																																			
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet																																																																																																																																																																			
1053	130	1053	130	Non-English specification																																																																																																																																																																			
1812	2520	1812	2520	For filing a request for reexamination																																																																																																																																																																			
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action																																																																																																																																																																			
1805	1840*	1805	1840*	Requesting publication of SIR after Examiner action																																																																																																																																																																			
1251	110	2251	55	Extension for reply within first month																																																																																																																																																																			
1252	420	2252	210	Extension for reply within second month																																																																																																																																																																			
1253	950	2253	475	Extension for reply within third month																																																																																																																																																																			
1254	1480	2254	740	Extension for reply within fourth month																																																																																																																																																																			
1255	2010	2255	1005	Extension for reply within fifth month																																																																																																																																																																			
1401	330	2401	165	Notice of Appeal																																																																																																																																																																			
1402	330	2402	165	Filing a brief in support of an appeal																																																																																																																																																																			
1403	290	2403	145	Request for oral hearing																																																																																																																																																																			
1451	1510	1451	1510	Petition to institute a public use proceeding																																																																																																																																																																			
1452	110	2452	55	Petition to revive - intentional																																																																																																																																																																			
1453	1330	2453	665	Petition to revive - unintentional																																																																																																																																																																			
1501	1330	2501	665	Utility issue fee																																																																																																																																																																			
1502	480	2502	240	Design issue fee																																																																																																																																																																			
1503	640	2503	320	Plant issue fee																																																																																																																																																																			
1460	130	1460	130	Petitions to the Commissioner																																																																																																																																																																			
1807	50	1807	50	Petitions related to provisional applications																																																																																																																																																																			
1806	180	1806	180	Submission of Information Disclosure Stmt																																																																																																																																																																			
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	40																																																																																																																																																																		
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))																																																																																																																																																																			
1814	110	2814	55	Statutory disclaimer (37 CFR 1.120(d))																																																																																																																																																																			
<h3 style="margin: 0;">1. FILING FEE</h3> <table style="width: 100%; font-size: small;"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr><td>1001</td><td>770</td><td>2001</td><td>385</td><td>Utility filing fee</td><td>770</td></tr> <tr><td>1002</td><td>340</td><td>2002</td><td>170</td><td>Design filing fee</td><td></td></tr> <tr><td>1003</td><td>530</td><td>2003</td><td>265</td><td>Plant filing fee</td><td></td></tr> <tr><td>1004</td><td>770</td><td>2004</td><td>385</td><td>Reissue filing fee</td><td></td></tr> <tr><td>1005</td><td>160</td><td>2005</td><td>80</td><td>Provisional filing fee</td><td></td></tr> </tbody> </table> <p style="text-align: right;">SUBTOTAL (1) \$ 770</p> <h3 style="margin: 0;">2. CLAIMS</h3> <table style="width: 100%; font-size: small;"> <thead> <tr> <th>Total Claims</th> <th>Extra</th> <th>Fee from below</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>30 -20 =</td> <td>10</td> <td>18</td> <td>180</td> </tr> <tr> <td>Ind. Claims 8 -3 =</td> <td>5</td> <td>86</td> <td>430</td> </tr> <tr> <td>Multiple Dep. Claims</td> <td>0</td> <td>290</td> <td>0</td> </tr> </tbody> </table> <table style="width: 100%; font-size: small; margin-top: 10px;"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr><td>1202</td><td>18</td><td>2202</td><td>9</td><td>Claims in excess of 20</td><td></td></tr> <tr><td>1201</td><td>86</td><td>2201</td><td>43</td><td>Independent claims in excess of 3</td><td></td></tr> <tr><td>1203</td><td>290</td><td>2203</td><td>145</td><td>Multiple dependent claim</td><td></td></tr> </tbody> </table> <p style="text-align: right;">SUBTOTAL (2) \$ 610</p>	Large Entity		Small Entity		Fee Description	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	1001	770	2001	385	Utility filing fee	770	1002	340	2002	170	Design filing fee		1003	530	2003	265	Plant filing fee		1004	770	2004	385	Reissue filing fee		1005	160	2005	80	Provisional filing fee		Total Claims	Extra	Fee from below	Fee Paid	30 -20 =	10	18	180	Ind. Claims 8 -3 =	5	86	430	Multiple Dep. Claims	0	290	0	Large Entity		Small Entity		Fee Description	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	1202	18	2202	9	Claims in excess of 20		1201	86	2201	43	Independent claims in excess of 3		1203	290	2203	145	Multiple dependent claim		<p style="text-align: right;">SUBTOTAL (3) \$ 40</p> <p style="font-size: x-small;">*Reduced by Basic Filing Fee</p>																																																																																		
Large Entity		Small Entity		Fee Description			Fee Paid																																																																																																																																																																
Fee Code	Fee (\$)	Fee Code	Fee (\$)																																																																																																																																																																				
1001	770	2001	385	Utility filing fee	770																																																																																																																																																																		
1002	340	2002	170	Design filing fee																																																																																																																																																																			
1003	530	2003	265	Plant filing fee																																																																																																																																																																			
1004	770	2004	385	Reissue filing fee																																																																																																																																																																			
1005	160	2005	80	Provisional filing fee																																																																																																																																																																			
Total Claims	Extra	Fee from below	Fee Paid																																																																																																																																																																				
30 -20 =	10	18	180																																																																																																																																																																				
Ind. Claims 8 -3 =	5	86	430																																																																																																																																																																				
Multiple Dep. Claims	0	290	0																																																																																																																																																																				
Large Entity		Small Entity		Fee Description	Fee Paid																																																																																																																																																																		
Fee Code	Fee (\$)	Fee Code	Fee (\$)																																																																																																																																																																				
1202	18	2202	9	Claims in excess of 20																																																																																																																																																																			
1201	86	2201	43	Independent claims in excess of 3																																																																																																																																																																			
1203	290	2203	145	Multiple dependent claim																																																																																																																																																																			

SUBMITTED BY				Complete (if applicable)	
Typed or Printed Name	David J. McKenzie			Reg. Number	46,919
Signature		Date	Dec 4, 2003	Deposit Account User ID	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner of Patents and Trademarks, Mail Stop Assignments, P.O. Box 1450, Alexandria, VA 22313-1450.

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"Express Mail" Mailing Label No.: ER540257564US

Date of Deposit: December 4, 2003

I hereby certify that this patent application in the name of Yin Chen, Rhonda L. Childress, Catherine Helen Crawford, Noshir Cavas Wadia, and Peng Ye for A SYSTEM, METHOD, AND APPARATUS FOR MODELING AND ANALYZING A PLURALITY OF COMPUTING WORKLOADS, together with the drawings, a Declaration, Power of Attorney, and Petition, an Assignment and Recordation Form Cover Sheet, Information Disclosure Statement, PTO Form 1449, and Copies of Cited References are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above in an envelope addressed to MailStop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Respectfully submitted,



David J. McKenzie
Reg. No. 46,919
Attorney for Applicant

Date: December 4, 2003

Kunzler & Associates
8 East Broadway, Suite 600
Salt Lake City, Utah 84111
Telephone: 801/994-4646